IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT APPEAL No.1926 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 30/11/2004 in W.P.No.21985 of 2004 on the file of the High Court.)

Between:

T. Narasimha Reddy,
S/o T. Narasingh Reddy
R/o Jaya Hospitals,
Hanamkonda, Warangal District.

..... APPELLANT

AND

1. The Asst. Director (FAC) Dist. Survey & Land Records,
O/o The Collector, District Sy. Land Records, Warangal.
2. The Asst. Director of Mines and Geology, Warangal,
Warangal District
3. Regional Vigilance & Enforcement Officer, Warangal,

Warangal District
4. M/s. Kodandarama Waddera Labour Stone Workers

Paraspara Shayaka Sahakara Sangham Ltd. Vishnupuri,

Waddera Colony, Kazipet, rep by President K. Srinivas

.....RESPONDENTS

Counsel for the Appellant : Sri T.HANUMANTHA REDDY
Counsel for the Respondent Nos.1 to 3: GP FOR MINES AND GEOLOGY

The Court made the following :

ORAL JUDGMENT: (Per Hon'ble the Chief Justice)

There have already been three adjournments on the appellant's representation. Today also there is a request for adjournment. We decline such request. Appellant had filed writ petition questioning the action of respondents 2 and 3 in directing the Survey Department to conduct survey and fix the boundary of the leased area. Such direction was issued when there was a complaint that the lessee was excavating minerals from the land of fourth respondent. Learned single Judge dismissed the writ petition on the ground that there cannot be any exception made for carrying out survey and in case appellant has any objection, he can raise such objection before the Survey Officer, who has to take the same into consideration at the time of conducting the survey and if he is aggrieved by the adverse orders to be passed by the Survey Officer, he is at liberty to challenge the same in accordance with law. Such an order passed by the learned single Judge disposing of the writ petition cannot be interfered with in the appeal since there is no illegality in the order.

Writ Appeal is dismissed.

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DEVINDER GUPTA, C.J.

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M.NARAYANA REDDY, J

20-01-2005
bsc

To

1. The Asst. Director (FAC) Dist. Survey & Land Records,
O/o The Collector, District Sy. Land Records, Warangal.

2. The Asst. Director of Mines and Geology, Warangal,
Warangal District
3. Regional Vigilance & Enforcement Officer, Warangal,

Warangal District
4. K. Srinivas, President M/s. Kodandarama Waddera Labour

Stone Workers Paraspara Shayaka Sahakara Sangham Ltd.

Vishnupuri, Waddera Colony, Kazipet.

5. 2 CCs to Govt. Pleader for Mines and Geology, High Court buildings, Hyderabad (OUT)

6. 2 CD copies